



State of Tennessee
Department of Children's Services

THE INTERSTATE COMPACT ON JUVENILES
PRACTICES AND PROCEDURES MANUAL



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History and Purpose of Interstate Compact on Juveniles

Years ago, long trains filled with children and youth traveled eastward from California, retracing the routes the same juveniles had taken in preceding months to run away. These special trains went from state to state, delivering cargoes of youth to their homes. A reporter who went along on one of them called it "*the heartbreak train*."

These trains were loaded with young people who had answered the time-honored call to "go west." Many were adventurous runaways and without any means of support. They were sent home from California because they had become victims of unscrupulous adults or had become involved in delinquency or crime to obtain food or shelter.

Back in 1954, the plight of the runaway was given nationwide publicity by a series of *Parade Magazine* articles entitled "Nobody's Children." As a sequel to the series and their own recognition that action was required, various organizations sought to develop remedial legislation. Efforts were directed toward formulating interstate procedures to permit the return of runaways, absconders and escapees who were found in other states, and also for a system under which juvenile offenders could be supervised in other states.

The Council of State Governments, with the assistance of many other groups, undertook the daunting effort to draft a compact to meet these needs. Among the organizations, which worked with the Council on this task, were the National Probation and Parole Association, the United States Children's Bureau, the Senate Subcommittee on Juvenile Delinquency, the National Association of Attorneys General, and the Parole and Probation Compact Administrators Association.

The successful operation of the Interstate Compact for the Supervision of Parolees and Probationers (Adult Compact) served to encourage the compact approach for interstate action on juvenile problems. This compact came about after the U.S. Congress authorized the Crime Control Consent Act in 1934.

The final draft of the ICJ was approved in 1955, and the first organizational meeting of the Compact Administrators was held in 1956. By 1986, all 50 states, the District of Columbia, Virgin Islands and Guam had ratified the Interstate Compact on Juveniles

The ICJ is comprised of a basic compact, 15 articles, and three optional amendments, the Runaway, Rendition and Out-of-State Confinement. The amendments are effective only between those states that have ratified the specific enabling legislation. **(Refer to the ICJ Signatory Matrix in Appendix A for information on the states' participation in the amendments.)**

The ICJ provides the procedures in requesting supervision of probationers and parolees in a state other than the state of adjudication. It also provides procedures for the return of youth who have absconded, escaped, or run away.

With the advent of the ICJ, heartbreak trains ceased to exist. Young people in such difficulties are sent or taken home by means of the ICJ, which was established to do this job as expeditiously as possible. Individual arrangements are made for each youth.

Association of Juvenile Compact Administrators

The governor of each state appoints an official to serve as the ICJ administrator. Compact Administrators are responsible for the daily administration of the ICJ in their states. They are also responsible for meeting with their peers to promulgate rules and regulations to enhance the operations of the ICJ. The national Association of Juvenile Compact Administrators (AJCA) was established in 1956 for this purpose. Acting jointly, the compact administrators meet for training, problem resolutions, and proposals for improvement of ICJ. The rules and regulations are promulgated and approved by the AJCA by a two-thirds majority of the members present and voting at the annual meetings. These rules and regulations have the same force and effect as law.

Articles

Article I - Findings and Purposes. Juveniles who are not under proper supervision and control, or who have absconded, escaped or run away, are likely to endanger their own health, morals and welfare, and the health, morals and welfare of others. The cooperation of the states party to this compact is therefore necessary to provide for the welfare and protection of juveniles and of the public with respect to: **(1)** cooperative supervision of delinquent juveniles on probation or parole; **(2)** the return, from one (1) state to another, of delinquent juveniles who have escaped or absconded; **(3)** the return, from one (1) state to another, of non-delinquent juveniles who have run away from home; and **(4)** additional measures for the protection of juveniles and of the public, which any two (2) or more of the party states may find desirable to undertake cooperatively. In carrying out the provisions of this compact, the party states shall be guided by the non-criminal, reformatory and protective policies, which guide their laws concerning delinquent, neglected or dependent juveniles generally. It is the policy of the states party to this compact to cooperate and observe their respective responsibilities for the prompt return and acceptance of juveniles and delinquent juveniles who become subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the foregoing purposes.

Article II - Existing Rights and Remedies. All remedies and procedures provided by this compact shall be in addition to and not in substitution for other rights, remedies and procedures, and shall not be in derogation of parental rights and responsibilities.

Article III - Definitions. For the purposes of this compact:

- (1) "Court" means any court having jurisdiction over delinquent, neglected or dependent children;
- (2) "Delinquent juvenile" means any juvenile who has been adjudged delinquent and who, at the time the provisions of this compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court;
- (3) "Probation or parole" means any kind of conditional release of juveniles authorized under the laws of the states party hereto;
- (4) "Residence," or any variant thereof, means a place at which a home or regular place of abode is maintained; and
- (5) "State" means any state, territory or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

Article IV - Return of Runaways. (a) The parent, guardian, person or agency entitled to legal custody of a juvenile who has **not** been adjudged delinquent but who has run away without the consent of such parent, guardian, person or agency may petition the appropriate court in the demanding state for the issuance of a requisition for the runaway's return. The petition shall state the name and age of the juvenile, the name of the petitioner and the basis of entitlement to the juvenile's custody, the circumstances of the runaway's running away, the runaway's location if known at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering such juvenile's own welfare or the welfare of others and is not an emancipated minor. The petition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two (2) **certified** copies of the document or documents on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees.

Such further affidavits and other documents as may be deemed proper may be submitted with such petition. The judge of the court to which this application is made may hold a hearing thereon to determine whether for the purposes of this compact the petitioner is entitled to the legal custody of the juvenile, whether or not it appears that the juvenile has in fact run away without consent, whether or not the juvenile is an emancipated minor, and whether or not it is in the best interest of the juvenile to compel the juvenile's return to the state. If the judge determines, either with or without a hearing, that the juvenile should be returned, the judge shall present to the appropriate court or to the executive authority of the state where the juvenile is alleged to be located a written requisition for the return of such juvenile. Such requisition shall set forth the name and age of the juvenile, the determination of the court that the juvenile has run away without the consent of a parent, guardian, person or agency entitled to such judge's legal custody, and that it is in the best interest and for the protection of such juvenile that the juvenile be returned. In the event that a proceeding for the adjudication of the juvenile as a delinquent, neglected or dependent juvenile is pending in the court at the time when such juvenile runs away, the court may issue a requisition for the return of such juvenile upon its own motion, regardless of the consent of the parent, guardian, person or agency entitled to legal custody, reciting therein the nature and circumstances of the pending proceeding. The requisition shall in every case be executed in duplicate and shall be **signed by the judge**. One (1) copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of such court. Upon the receipt of a requisition demanding the return of a juvenile who has run away, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing such person or officer to take into custody and detain such juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No juvenile detained upon

such order shall be delivered over to the officer whom the court demanding the runaway shall have appointed to receive the runaway, unless the runaway shall first be taken forthwith before a judge of a court in the state, who shall inform the runaway of the demand made for the runaway's return, and who may appoint counsel or guardian ad litem for the runaway.

If the judge of such court shall find that the requisition is in order, the judge shall deliver such juvenile over to the officer whom the court demanding the runaway juvenile shall have appointed to receive the runaway juvenile. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding. Upon reasonable information that a person is a juvenile who has run away from another state party to this compact without the consent of a parent, guardian, person or agency, entitled to the juvenile's legal custody, such juvenile may be taken into custody without a requisition and brought forthwith before a judge of the appropriate court who may appoint counsel or guardian ad litem for such juvenile and who shall determine after a hearing whether sufficient cause exists to hold the person, subject to the order of the court, for the juvenile's own protection and welfare, for such a time not exceeding ninety (90) days as will enable the juvenile's return to another state party to this compact pursuant to a requisition for the juvenile's return from a court of that state. If, at the time when a state seeks the return of a juvenile who has run away, there is pending in the state wherein the juvenile is found any criminal charge, or any proceeding to have adjudicated a delinquent juvenile for an act committed in such state, or if the juvenile is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense of juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference. Upon the runaway juvenile's return to the state from which he ran away, the juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) The state to which a juvenile is returned under this article shall be responsible for payment of the transportation costs of such return.

(c) "Juvenile," as used in this article, means any person who is a minor under the law of the state of residence of the parent, guardian, person or agency entitled to the legal custody of such minor.

Article V - Return of Escapees and Absconders. (a) The appropriate person or authority from whose probation or parole supervision a delinquent juvenile has absconded or from whose institutional custody the juvenile has escaped shall present to the appropriate court or to the executive authority of the state where

the delinquent juvenile is alleged to be located a written requisition for the return of such delinquent juvenile. Such requisition shall state the name and age of the delinquent juvenile, the particulars of the juvenile's adjudication as a delinquent juvenile, the circumstances of the breach of the terms of the juvenile's probation or parole or of the juvenile's escape from an institution or agency vested with the juvenile's legal custody or supervision, and the location of such delinquent juvenile, if known, at the time the requisition is made. The requisition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two (2) certified copies of the judgment, formal adjudication, or order of commitment which subjects such delinquent juvenile to probation or parole or to the legal custody of the institution or agency concerned. Such further affidavits and other documents as may be deemed proper may be submitted with such requisition. One (1) copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of the appropriate court. Upon the receipt of a requisition demanding the return of a delinquent juvenile who has absconded or escaped, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing such officer or other person to take into custody and detain such delinquent juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No delinquent juvenile detained upon such order shall be delivered over to the officer whom the appropriate person or authority demanding the juvenile shall have appointed to receive the juvenile, unless the juvenile shall first be taken forthwith before a judge of an appropriate court in the state, who shall inform the juvenile of the demand made for the juvenile's return and who may appoint counsel or guardian ad litem for the juvenile. If the judge of such court shall find that the requisition is in order, the judge shall deliver such delinquent juvenile over to the officer whom the appropriate person or authority demanding the juvenile shall have appointed to receive the juvenile. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with his legal custody or supervision in any state party to this compact, such person may be taken into custody in any other state party to this compact without a requisition. But in such event, the juvenile must be taken forthwith before a judge of the appropriate court, who may appoint counsel or guardian ad litem for such person and who shall determine, after a hearing whether sufficient cause exists to hold the person subject to the order of the court for such a time, not exceeding ninety (90) days, as will enable the juvenile's detention under a detention order issued on a requisition pursuant to this article. If, at the time when a state seeks the return of a delinquent juvenile who has either absconded while on probation or parole or escaped from an institution or agency vested with the juvenile's legal custody or supervision, there is pending in the state wherein the juvenile is detained any criminal charge or any proceeding to have the

juvenile adjudicated a delinquent juvenile for an act committed in such state or if the juvenile is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the delinquent juvenile being returned, shall be permitted to transport such delinquent juvenile through any and all states party to this compact, without interference. Upon the juvenile's return to the state from which the juvenile escaped or absconded, the delinquent juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) The state to which a delinquent juvenile is returned under this article shall be responsible for payment of the transportation costs of such return.

Article VI - Voluntary Return Procedure. Any delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with the juvenile's legal custody or supervision in any state party to this compact, and any juvenile who has run away from any state party to this compact, who is taken into custody without a requisition in another state party to this compact under the provisions of article IV (a) or of article V (a), may consent to the juvenile's immediate return to the state from which the juvenile absconded, escaped or ran away. Such consent shall be given by the juvenile or delinquent juvenile and the juvenile's counsel or guardian ad litem if any, by executing or subscribing a writing, in the presence of a judge of the appropriate court, which states that the juvenile or delinquent juvenile and the juvenile's counsel or guardian ad litem, if any, consent to the juvenile's return to the demanding state. Before such consent shall be executed or subscribed, however, the judge, in the presence of counsel or guardian ad litem, if any, shall inform the juvenile or delinquent juvenile of that juvenile's rights under this compact. When the consent has been duly executed, it shall be forwarded to and filed with the compact administrator of the state in which the court is located and the judge shall direct the officer having the juvenile or delinquent juvenile in custody to deliver that juvenile to the duly accredited officer or officers of the state demanding that juvenile's return, and shall cause to be delivered to such officer or officers a copy of the consent. The court may, however, upon the request of the state to which the juvenile or delinquent juvenile is being returned, order that juvenile to return unaccompanied to such state and shall provide that juvenile with a copy of such a court order; in such event a copy of the consent shall be forwarded to the compact administrator of the state to which the juvenile or delinquent juvenile is ordered to return.

Article VII - Cooperative Supervision of Probationers and Parolees. (a) The duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state") may permit any delinquent juvenile within

such state, placed on probation or parole, to reside in any other state party to this compact (herein called "receiving state") while on probation or parole, and the receiving state shall accept such delinquent juvenile, if the parent, guardian or person entitled to the legal custody of such delinquent juvenile is residing or undertakes to reside within the receiving state. Before granting such permission, opportunity shall be given to the receiving state to make such investigations, as it deems necessary. The authorities of the sending state shall send to the authorities of the receiving state copies of pertinent court orders, social case studies and all other available information which may be of value to and assist the receiving state in supervising a probationer or parolee under this compact. A receiving state, in its discretion, may agree to accept supervision of a probationer or parolee in cases where the parent, guardian or person entitled to the legal custody of the delinquent juvenile is not a resident of the receiving state, and if so accepted the sending state may transfer supervision accordingly.

(b) Each receiving state will assume the duties of visitation and of supervision over any such delinquent juvenile and in the exercise of those duties will be governed by the same standards of visitation and supervision that prevail for its own delinquent juveniles released on probation or parole.

(c) After consultation between the appropriate authorities of the sending state and of the receiving state as to the desirability and necessity of returning such a delinquent juvenile, the duly accredited officers of a sending state may enter a receiving state and there apprehend and retake any such delinquent juvenile on probation or parole. For that purpose, no formalities will be required, other than establishing the authority of the officer and the identity of the delinquent juvenile to be retaken and returned. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive upon and not reviewable within the receiving state, but if, at the time the sending state seeks to retake a delinquent juvenile on probation or parole, there is pending against that juvenile within the receiving state any criminal charge or any proceeding to have that juvenile adjudicated a delinquent juvenile for any act committed in such state, or if that juvenile is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, that juvenile shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of the sending state shall be permitted to transport delinquent juveniles being so returned through any and all states party to this compact, without interference.

(d) The sending state shall be responsible under this article for paying the costs of transporting any delinquent juvenile to the receiving state or of returning any delinquent juvenile to the sending state.

Article VIII - Responsibility for Costs. (a) The provisions of articles IV (b), V (b) and VII (d) shall not be construed to alter or affect any internal relationship

among the department, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefore.

(b) Nothing in this compact shall be construed to prevent any party state or subdivision thereof from asserting any right against any person, agency or other entity in regard to costs for which such party state or subdivision thereof may be responsible pursuant to articles IV (b), V (b) or VII (d).

Article IX - Detention Practices. To every extent possible, it is the policy of states party to this compact that no juvenile or delinquent juvenile be placed or detained in any prison, jail or lockup nor be detained or transported in association with criminal, vicious or dissolute persons.

Article X - Supplementary Agreements. The duly constituted administrative authorities of a state party to this compact may enter into supplementary agreements with any other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles whenever they shall find that such agreements will improve the facilities or programs available for such care, treatment and rehabilitation. Such care, treatment and rehabilitation may be provided in an institution located within any state entering into such supplementary agreements. Such supplementary agreements shall:

- (1) Provide the rates to be paid for the care, treatment and custody of such delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished;
- (2) Provide that the delinquent juvenile shall be given court hearing prior to the delinquent juvenile's being sent to another state for care, treatment and custody;
- (3) Provide that the state receiving such a delinquent juvenile in one (1) of its institutions shall act solely as agent for the state sending such delinquent juvenile;
- (4) Provide that the sending state shall at all times retain jurisdiction over delinquent juveniles sent to an institution in another state;
- (5) Provide for reasonable inspection of such institutions by the sending state;
- (6) Provide that the consent of the parent, guardian, person or agency entitled to the legal custody of the delinquent juvenile shall be secured prior to the delinquent juvenile's being sent to another state; and
- (7) Make provision for such other matters and details as shall be necessary to protect the rights and equities of such delinquent juveniles and of the cooperating states.

Article XI - Acceptance of Federal and Other Aid. Any state party to this compact may accept any and all donations, gifts and grants of money, equipment and services from the federal or any local government, or any agency thereof, and from any person, firm or corporation, for any of the purposes and functions of this compact, and may receive and utilize the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

Article XII - Compact Administrators. The governor of each state party to this compact shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

Article XIII - Execution of Compact. This compact shall become operative immediately upon its execution by any state as between it and other state or states so executing. When executed, it shall have the full force and effect of law within such state, the forms of execution to be in accordance with the laws of the executing state.

Article XIV - Renunciation. This compact shall continue in force and remain binding upon each executing state until renounced by it. Renunciation of this compact shall be by the same authority, which executed it, by sending six (6) months' notice in writing of its intention to withdraw from the compact to the other states party hereto. The duties and obligations of a renouncing state under article VII shall continue as to parolees and probationers residing therein at the time of withdrawal until retaken or finally discharged. Supplementary agreements entered into under article X shall be subject to renunciation as provided by such supplementary agreements, and shall not be subject to the six (6) months' renunciation notice of the present article.

Article XV - Severability. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

Rendition Amendment

(a) This amendment shall provide additional remedies, and shall be binding only as among and between those parties states which specifically execute the same.

(b) All provisions and procedures of Articles V and VI of the Interstate Compact on Juveniles shall be construed to apply to any juvenile charged with being a delinquent by reason of a violation of any criminal law.

Any juvenile charged with being a delinquent by reason of violating any criminal law shall be returned to the requesting state upon a requisition to the state where the juvenile may be found.

A petition in such case shall be filed in a court of competent jurisdiction in the requesting state where the violation of criminal law is alleged to have been committed. The petition may be filed regardless of whether the juvenile has left the state before or after the filing of the petition.

The requisition described in Article V of the compact shall be forwarded by the judge of the court in which the petition has been filed.

PROCEDURES

Return of Non-delinquent Runaways:

Petition for Requisition to Return a Runaway Youth (Form A) – The parent, guardian, or agency entitled to legal custody of a dependent juvenile may petition the juvenile court to issue a requisition for the youth's return. The petition must be verified by affidavit. Attached to the petition should be **certified true** document(s) verifying petitioner's entitlement to custody of the youth, e.g., birth certificate, divorce decree, etc.

The judge of the court to which the petition for requisition to return is made, may hold a hearing to determine if the petitioner is entitled to legal custody or if it is in the best interest of the youth to return to his/her home state.

Requisition for Runaway Youth (Form I) – If the judge determines that the youth should be returned, three (3) **certified true** copies of the requisition and three (3) **certified true** copies of any requisite custody documents (e.g., commitment order, divorce decree, etc.) will be forwarded to the Deputy Compact Administrator (DCA). The DCA will forward the requisition and other relevant documents to the appropriate agency in accordance with the terms of the ICJ.

If the judge in the holding state or territory finds the requisition to be in order, he/she shall cause the juvenile to be released to the demanding state. The DCA is notified, at this point, that the youth is in custody, awaiting return to his/her home state. The DCA will make arrangements for the youth's travel.

Apprehended Runaway Youth without a Requisition – A youth who has run away from his/her home state may be taken into custody in an asylum state without a requisition and be brought before a juvenile court. The court may appoint counsel or a guardian ad litem and determine if sufficient cause exists to hold the youth, for his/her own welfare and protection, until his/her return to the home state.

Voluntary Consent to Return by Runaway Youth – Any youth who has run away from his/her home state and taken into custody in an asylum state may consent to immediately return to his/her home state. Such consent may be given by the youth and his/her counsel or guardian ad litem, if appointed, by executing the **Consent for Voluntary Return by Runaway, Escapee or Absconder form (Form III)**. The youth **must** give consent in front of a juvenile court judge, or equivalent.

Once the Form III has been completed, a facsimile (fax) will be forwarded to the DCA, who will make arrangements for the youth's travel. If the youth is to travel unaccompanied, he/she must be given a copy of the Form III.

Transportation of Runaway Youths – The parent, guardian, or agency entitled to legal custody of the youth is responsible for transportation costs. If the youth's family is unable to pay for a youth's return to the State of Tennessee, the Department of Children's Services will accept financial responsible.

Youths in the Legal Custody of Parents or Relatives – While the ICJ technically covers all interstate runaways, not all states provide an effective mechanism for facilitating a youth's return if he/she has not been adjudicated neglected/dependent. Planning for such youth's return must still be coordinated through the ICJ office; however, full cooperation from other states cannot be guaranteed. When other state are not willing to fund the return of a runaway youth to his/her parent or relative, the State of Tennessee may provide assistance on a case by case basis.

Return of Delinquent Runaways/Escapees, Absconders or Youths Charged with being Delinquent

Requisition for Return of Delinquent Youth (Form II) – The residential facility or agency having legal custody of the delinquent youth may prepare the requisition. The requisition shall be verified by affidavit and accompanied by the order of adjudication and commitment order, and attachment/arrest order. Three **certified true** copies of all documents are then forwarded to the DCA via over night mail, who will forward the documents to the asylum state and request that the youth be apprehended and/or detained, and ordered to return to the State of Tennessee.

Note: if the youth is an escapee from the Department of Children's Services' custody, the DCA will sign Form II. If the youth is an absconder from probation or aftercare, or charged with being delinquent, the judge of jurisdiction will sign Form II.

Note: the requisition procedure can only be utilized if the youth's whereabouts in the asylum state are known, e.g., name of the detention center where the youth is being held, address of the home where the youth is suspected to be, etc.

Once the youth is apprehended in an asylum state, Article V of the ICJ requires that the youth be brought before a juvenile court judge, who may appoint counsel or a guardian ad litem, and be informed of the demand for his/her return. If the court finds the requisition to be in order, the youth shall be returned to his/her home/demanding state. Once the DCA has been notified that the requisition has been honored, the DCA will make travel arrangements.

Voluntary Return of Delinquent Escapees, Absconders or Youths Charged with being Delinquent – the "Voluntary Consent to Return by Runaway Youth" procedure mentioned-above should be utilized.

Sending Referrals for Placement and Supervision

Any state signatory to the ICJ may permit a youth on probation or parole to reside in any other signatory state, which will provide cooperative supervision of said youth. However, before granting such permission, the receiving state shall have the opportunity to make an evaluation of the proposed placement.

The supervising case manager or court official shall submit, in triplicate, all requests for supervision to the DCA. All requests **must** include, but not limited to the following:

- Cover Letter address to the DCA (see Appendix D)
- ICJ Form IV (Parole or Probation Investigation Request) (see Appendix E, Section VI),
- ICJ Form V (Report of Sending State upon Parolee or Probationer being sent to Receiving State) (see Appendix E, Section VIII),
- ICJ Form IA/VI (Application for Compact Services and Memorandum of Understanding and Waiver) (see Appendix E, Section VII),
- Petition(s), **prior and current**,
- Order(s) of adjudication and disposition, **prior and current**,
- Order of Commitment or Order of Probation,
- Legal and Social History,
- Rules of Aftercare or Probation,
- School Records and Immunization Records (**mandatory for aftercare cases**),
- Psychological Examination (if available), and
- Release packet from residential facility (**mandatory for aftercare cases**).

Reasonable efforts to obtain all the appropriate signatures must be taken before the youth departs the State of Tennessee. For a youth who is in a residential facility at the time of the referral, it is **expected** that his/her signature will be obtained on ICJ Form IA/VI.

Note: For probation cases, the judge signs ICJ Form IA/VI **prior** to the referral being submitted to the DCA. For parole/aftercare cases, the DCA signs ICJ Form IA/VI.

Under the ICJ, the receiving state has 30 business days to either accept or deny a request for supervision. The receiving state is responsible for forwarding a progress report to the sending state on a quarterly basis. (See Appendix E, Section XI).

Receiving Requests for Placement and Supervision

Placement and supervision referrals sent to a regional supervisor will be assigned to a Department of Children's case manager. The Home Evaluation Report (see Appendix E, Section X) shall include, but not limited to, the following:

- Name of Sending State and Receiving State;
- Youth's Name, Date of Birth and case number;
- Parent/Guardian's name, address and telephone number;
- Information Concerning Home, Neighborhood and Peers (physical description and location of home, criminal/gang activity in neighborhood, etc.);
- Family Status (composition, interactions, at-risk family members, attitudes, support capabilities, ability to provide financial support, etc.);
- Legal History of Family Members (**verified** – pending and/or prior charges, probation or parole status);
- Proposed Supervision Plan (school, court-ordered conditions, treatment needs, etc.);
- Other Relevant Comments (recommendations, questions, concerns, etc.);
- Reporting Instructions; and
- Placement Recommendation.

The assigned case manager shall complete and submit the Home Evaluation Report to the DCA within 20-business days of the case being received by the case manager's supervisor. If the placement/home is found to be unacceptable, the case manager should not recommend the placement. Placement will occur and supervision will be accepted, however, if the youth is to reside with a parent or legal guardian. The DCA will make the final decision on whether or not the placement is approved and the case accepted for supervision.

NOTE: Use of the ICJ Home Evaluation Report is **mandatory**.

NOTE: if it appears that the youth may be in danger by residing at the residence evaluated, the investigating case manager shall immediately notify Child Protective Services (CPS) and the DCA.

If the case is accepted for supervision, the assigned case manager shall supervise the case in accordance with DCS Policy 13.1 (Supervision Levels of Delinquent and Unruly Youth).

The assigned case manager shall submit a progress report to the DCA on a quarterly basis (see Appendix E, Section XI).

The age at which supervision automatically terminates is determined by the **sending state**. (See Appendix B). Early termination of supervision may be recommended via the ICJ Quarterly Progress Report form. If early termination of

supervision is recommended, the Quarterly Progress Report form may be submitted to the DCA when the youth's progress warrants it.

If a youth violates the terms of his parole/aftercare or probation, the assigned case manager **shall not** file a petition with the local court (unless the youth is also under supervision with the local court for unrelated offenses). All violations shall be reported via the Quarterly Progress Report form and submitted to the DCA.

In the event the youth is unable to make adequate adjustment in the home/placement (other than violation of conditions) or other circumstances arise which are beyond the youth's control, which would warrant removal from the home/placement, the sending state shall be notified immediately through the DCA, with a recommendation for an alternative placement or return to the sending state.

When a youth returns to the sending state, the DCS shall be notified immediately. The DCA will notify the sending state and, if deemed appropriate, authorize the assigned case manager to close his/her ICJ case.

The Home Evaluation Report may be substituted for the Social History, per approval of the Regional Administrator.

Out-of-State Travel Request

Note: For a youth, parent or guardian requesting out-of-State travel, DCS Policy 12.5 (Passes for Youth Adjudicated Delinquent) shall be followed.

The ICJ "Out-of-State Travel Permit and Agreement to Return" form (see Appendix E, Section IX) shall be submitted to the DCA in the following instances:

- For testing a proposed home/placement in another state. The permit shall not exceed 30 days. The assigned case manager shall forward a referral for cooperative supervision to the DCA within five (5) days of the youth's departure.
- For youths in custody, probationers or parolees (aftercare) who visit or vacation in another state and the youth's offense(s) include, but not limited to, sex offenses, violent offenses that have resulted in personal injury or death, or offenses committed with a weapon.

Travel permits shall contain instructions requiring the probationer or parolee to return to the State of Tennessee. A travel permit is required if a visit or vacation will exceed 48 hours. The maximum length of stay for visits or vacations is 30 days.

Once completed, the travel permit should be faxed to the DCA.

Airport Supervision

The DCA may request that a regional supervisor assign a case manager to provide airport supervision at any airport located in the State of Tennessee.

The DCA will provide the supervisor with the following information:

- Name, race, sex and date of birth of the traveling youth;
- Physical description (to include height, weight, hair color and style, eye color, and any distinguishing characteristics);
- Detailed clothing description;
- Flight itinerary; and
- Any other pertinent information.

The assigned case manager shall arrive at the airport at least one hour prior to the flight's scheduled arrival and shall not leave the airport until the youth's departing flight has left the terminal. This is to ensure that the youth boards the correct flight and does not run away during the layover.

Should the youth not be on the assigned arriving flight, should the youth run during the layover, or should the youth's departing flight not leave as scheduled, the assigned case manager shall immediately contact his/her supervisor, who will, likewise, contact the DCA for further instructions.

In the event the youth's departing flight does not leave as scheduled, the assigned case manager may not leave the terminal area nor leave the youth unsupervised. The assigned case manager shall remain in the terminal area, with the youth, until the youth's flight departs or until relieved by another case manager.

Communications

All communications, written or verbal, between sending and receiving states, pertaining to ICJ issues, shall be routed through the DCA. All correspondence sent to the DCA shall be sent in triplicate.

Note: Only in extreme emergencies may a case manager contact an official in another state concerning an ICJ case. The DCA or Director of Probation must approve such communication.

GLOSSARY OF TERMS

Absconder - A person who hides, conceals, or absents himself with the intent to avoid legal process or authorized control. (For practical purposes of the Compact, a juvenile on probation or parole who has absented himself or run away from the placement mandated by the supervising agency or court).

Adjudged Delinquent - A minor who has been classified as such through court proceedings (Same as Delinquent Juvenile).

Adjudicate - To pronounce, decree, or settle in the exercise of judicial authority in a properly constituted court of law.

Affidavit - A written or printed declaration or statement of facts made voluntarily and confirmed by the oath or affirmation of the party making it, taken before an officer having authority to administer such oath.

Aftercare (Parole) - Any kind of conditional release of juveniles from an institutional setting, training school, or correctional type facility authorized under the laws of the state party (signatory) hereto.

Aftercare (Parole) - Care and treatment of juveniles who are in a period of readjustment after having been placed in custody or by the courts.

Child/Juvenile - Any minor within the jurisdictional age limit of any court in the home State (See Appendix B).

Commitment - An order by the court of appropriate jurisdiction ordering the care, custody and treatment of a juvenile to an agency or private or state institution maintained for such purpose.

Compact Administrator - A person designated by statute or appointed by the Governor who is responsible for coordinating his State's Compact operations.

Conditional Release - See Parole.

Confidentiality - The acceptance and divulgence of information relating to compact material on a need and right to know basis.

Correspondent - A person responsible for handling specific duties relating to Compact matters and under the supervision of the Compact Administrator or the Deputy Compact Administrator.

Counsel (Legal) - Representation of a juvenile by an attorney, either privately retained or court appointed, or a person who is proper or sufficient to be recognized by the law.

Court (For Compact purposes) - Any court having jurisdiction over delinquent, dependent, or neglected children.

Cooperative Supervision - The delivery of services given by a receiving state and in turn reported periodically or as needed to the sending state.

Court Order - A command or direction authoritatively given by a court of competent jurisdiction.

Delinquent Child - See Delinquent Juvenile.

Delinquent Juvenile - Any juvenile who has been adjudged delinquent and who, at the time the provisions of this Compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court.

Detainer - A writ or instrument, issued or made by a competent officer, of the court authorizing the proper agency to keep in his custody a person therein named.

Detention Order - An order written by the court to detain a specified juvenile pending further orders or action by the court.

Due Process - A court of legal proceeding (s) according to those rules and principles, which have been established in, or systems of jurisprudence for the enforcement and protection of private and public rights.

Emancipated Minors - Occurs in various ways, depending on individual State law. Generally speaking, it is a mutual surrender of duties and right between parents and child.

Escapee - A juvenile who as made an unauthorized flight from a facility to which he has been committed by the court.

Execution - Performance necessary to carry into effect judicial decree or judgment.

Executive Authority - Ordinarily, these words refer to the Governor but some states may have developed a method whereby this term could be the Compact Administrator or the Juvenile Judge of a particular judicial district within the state where the juvenile is believed to be.

Geographical Jurisdiction (Territorial) - Limited to cases arising or persons residing within a defined territory, as a county, judicial district, etc.

Guardian - One who is legally responsible for the care and management of a youth for the duration expressed in the order of guardianship.

Guardian ad litem - An attorney appointed to prosecute or defend a suit on behalf of a party incapacitated by infancy or otherwise.

Hearing - Proceeding of relative formality with definite issues of fact or of law to be tried, in which parties proceeded against have the right to be heard, and is much the same as a trial and may terminate in final order.

Interstate Compact - The enactment of legislation by all member states in substantially the same language on legal due processes pertaining to a juvenile.

Investigation - A legal social evaluation to determine if placement in a proposed and specified resource home/place is in the best interest of the child/juvenile and the community.

Legal Custody - The agency and/or person(s) who has been ordered or given authority by the appropriate court to render care, custody and treatment to a juvenile.

Legal Jurisdiction - Appropriate court having legal authority or control over the proceeding pertaining to one or more specified offenses in which a juvenile has been charged.

Liability - The responsibility of a delegated agency to provide for delivery of appropriate services on a specific casework situation according to the statutes of all states concerned.

Non-Delinquent Juvenile - See Child/Juvenile.

Non-Party/Non Signatory State - This pertains to a state, which has not adopted the by-laws relating to the Interstate Compact on Juveniles or one, which has withdrawn. (This does not apply at this time, as all states are members)

Optional Runaway Amendment - This article makes it mandatory for the home state to authorize the return of a juvenile within five days after being advised that he has been found in another state. It applies to non-delinquents only.

Out-of-State Confinement Amendment - Permits states to make agreements for out of state confinement of juveniles who are already out of state, such as parole and probation violators, escapees and absconders.

Out-of-Sate Institutionalization - When a receiving state is the place of a child's legal residence and institutional care and treatment becomes required, consideration may be given to institutionalization in the receiving state rather than returning the juvenile to the sending state.

Parole (Aftercare) - Any kind of conditional release of juveniles from an institutional setting, training school, or correctional type facility authorized under the laws of the state party hereto.

Peace Officer - This term is variously defined by statute in the different states, but generally it includes sheriffs and their deputies, constables, marshals, members of the police force of cities, and other officers whose duty is to enforce and preserve public peace.

Pending Petition - Petition to the court whereas no action has been taken.

Petition - An application in writing for an Order of the Court stating the circumstances upon which it is founded.

Physical Custody - The detainment of a juvenile by virtue of lawful process or authority.

Pick-Up Order - An order authorizing law officials to apprehend a specified person (See Detention Order)

Probation - A sentence disposition available to the courts, which allows the offender to remain in the community under the supervision of a court, directed person or agency. This is an alternative to commitment to a correctional facility.

Receiving State - A state to which a juvenile is sent for supervision under provision of the Interstate Compact on Juveniles.

Rendition Amendment - This amendment permits a state in which a juvenile is found to return to a state other than his home state in which he is charged with being delinquent for violation of any criminal law.

Renunciation - The act by which a state can formally withdraw from the Compact by having the same authority which executed the Compact, by sending six-months notice in writing of its intentions to withdraw to the other states party hereto (See Article XIV).

Requisition - A demand in writing, or formal request under Article IV or V sent to the Compact Administrator or Executive Authority for the return of a non-delinquent runaway, probation or parole absconder, or escapee (See Compact Forms I and II).

Residence - A place at which a home or regular place of abode is maintained. A juvenile's state of residence is that of the parent, guardian, or agency entitled to his legal supervision or the state where the parent, guardian, person or agency having legal custody of the juvenile is residing or undertakes to reside.

Runaway - A child under the juvenile jurisdictional age limit established by the State, who has run away from his home within home state or out of state, without the consent of the parent, guardian, person or agency entitled to his legal custody or supervision (see Appendix B).

Sending State - A state that has sent a juvenile to another state for supervision under the provisions of the Interstate Compact on Juveniles.

State - Any state, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

Status Offense - Conduct that is illegal for children but not illegal for adults, such as breaking curfew, running away, disobeying parents, truancy, etc.

Status Offender - One who has been adjudged guilty of a status offense. A term used to designate a child adjudicated by the juvenile court and placed under court supervision, but legally remaining non-delinquent. {(AKA) child in need of supervision (CINS) (CHINS), person in need of supervision (PINS), deprived child, undisciplined child, etc.}

Temporary Detention - Detention of a juvenile under Order of the Court of jurisdiction until adjudication or disposition can be made.

Termination - The relinquishment of ward ship of a juvenile probationer or parolee by the proper authority in the sending state following receipt of recommendations from the receiving state with proper notice to, or communication with, the receiving state.

Voluntary Return - This relates to the return of the juvenile runaway, escapee, or absconder (under Article VI) to his home state and denotes that he consents to return there voluntarily (see Appendix E, Sections IV and V).

Ward of Court - A person placed by authority of law under the care and supervision of the court.

Frequently Asked Questions

Who is eligible for Interstate Compact supervision?

All juveniles who are under juvenile court jurisdiction, as defined by the sending state and who have been assigned terms of supervision are eligible for services pursuant to the provisions of the ICJ.

Who determines whether or not Tennessee will provide supervision services?

The Deputy Compact Administrator or the Director of Probation. The Determination is based on the case manager's recommendations and ICJ rules and regulations.

How long does it take to obtain a home evaluation from another state?

The expected response to a home evaluation request is within 30 business days. This time frame is particularly crucial to those case managers responsible for placement planning in institutional settings.

Can I file a violation of probation or parole (aftercare) petition on a youth that I am supervising for another state?

No. However, if you believe a youth has violated his terms of supervision, you would need to submit the violation information to the Tennessee ICJ office. The information should be submitted on the quarterly progress report form.

How often should I forward a progress reports to the Tennessee ICJ office?

Progress reports are due on a quarterly basis. However, they can be submitted at earlier intervals if the need arises, i.e., violation reports, discharge requests.

I'm I allowed to close an ICJ case from another state?

No. Only the sending state is authorized to close such a case. The case manager in the receiving state can make a recommendation to close a case, as he/she deems appropriate. Recommendations to close a case shall be submitted to the Tennessee ICJ office on a quarterly progress report form.

How long is a travel permit valid?

ICJ out-of-state travel permits are valid for 30 days.

On ICJ Form V, whom do I list as the contact person?

You would list yourself, the case manager, because the youth is to report to you by telephone or by mail until the receiving state has accepted supervision.

Do all signatures need to be obtained on the ICJ Form IA/IV before submitting a referral packet?

No. If youth and parent/guardian have left Tennessee, the Tennessee ICJ office will ask the receiving state to obtain those signatures. Upon the form being signed, the form will be returned back to the sending case manager, which is

responsible for obtaining the adjudicating judge's signature. Upon obtaining the judge's signature, the sending case manager shall forward (3) copies of the form to the Tennessee ICJ office.

Why do you require three copies of all ICJ correspondence?

Three collated sets of all ICJ material are required because there are three other offices involved in the ICJ process. The Tennessee ICJ office retains one (1) set and forwards two sets to the other state's ICJ office. That office retains one (1) set and forwards the remaining set to the case manager.

Why do you require case managers to communicate only with the Tennessee ICJ office?

The Association of Juvenile Compact Administrators' rules and regulations state that case managers are to communicate only with the ICJ office in their state, unless prior approval is received from the ICJ offices in both states.

How do I transfer an ICJ case if the youth remains in Tennessee, but moves to another county?

The case shall be transferred in accordance with DCS Policy 13.9 (Case Management Supervision: Transfer Within and Between Regions).

If the ICJ office informs me that a case is not approved for supervision, should I return the file to the ICJ office?

No. The file shall be disposed of in accordance with DCS Policy 31.6.

I do not have the current ICJ forms. How do I obtain them?

Inform the Deputy Compact Administrator and the forms will be sent to you by e-mail.

Appendix A

States/Jurisdictions Signatory to the Basis Compact and Amendments

SIGNATORY MATRIX

STATE	A	B	C	D
Alabama	44-2-1, 8		X	
Alaska	47.15.010		X	X
Arizona	8-362	X	X	
Arkansas	9-29-101-108		X	
California	WIC 1300		X	X
Colorado	24-60-701	X	X	
Connecticut	46b-151-151g		X	
Delaware	31 Del. C. 5203		X	X
Florida	CH 985.501	X	X	X
Georgia	39-3-1		X	
Hawaii	HRS 582.1		X	X
Idaho	Title 16, Ch. 19	X	X	
Illinois	45 ILCS 10		X	X
Indiana	IC 31-37-23	X	X	X
Iowa	IC 232.171		X	X
Kansas	38-1001-1007	X	X	
Kentucky	KRS 615.010	X	X	
Louisiana	CHC 1623-1657	X	X	
Maine	34A-9-9001		X	
Maryland	g83C, 3-101-3110	X	X	X
Massachusetts	687	X	X	
Michigan	3.701	X	X	
Minnesota	MS 260.51	X	X	
Mississippi	43-25 1-7	X	X	
Missouri	RSMO 210.570-210.610		X	
Montana	MCA 41-6-101		X	
Nebraska	43:1001-1007		X	X

STATE	A	B	C	D
Nevada	NRS 214		X	
New Hampshire	NHRSA 12-169-A		X	
New Jersey	NJSA 9:23-1		X	
New Mexico	NMSA 32A-10-1		X	X
New York	1801, Title 5	X	X	
North Carolina	NCGS 7B-2800-2827		X	X
North Dakota	NDCC 27-22		X	
Ohio	ORC 2151.56		X	
Oklahoma	10-23-532	X	X	
Oregon	ORS 417.010-080		X	
Pennsylvania	62 PA 731	X	X	X
Rhode Island	14-6-1-11		X	
South Carolina	20-7-8705	X	X	
South Dakota	SDCL 26-12		X	
Tennessee	37-4-101		X	
Texas	TFC 3-60	X	X	
Utah	UCA 55-12		X	
Vermont	33 VSA 57-5701	X	X	
Virginia	Title 16.1-324, 330		X	
Washington	RCW 13.24.010		X	
West Virginia	49-8-1	X	X	
Wisconsin	938.991		X	
Wyoming	14-6-101		X	
JURISDICTIONS				
D.C.	24-1101-06	X	X	
Guam	Title 9, Ch 90, Art. 3			
Virgin Islands	Code 2524	X	X	

Key:

- A - Basic Compact Statute
- B - Runaway Amendment
- C - Rendition Amendment
- D - Out-of-State Confinement Amendment

Appendix B

Age of Majority, Maximum Ages on Probation and Parole/Aftercare

AGE MATRIX

STATE	A	B	C
Alabama	18	21	21
Alaska	18	19	-
Arizona	18	18	18
Arkansas	18	21	21
California	18	21	25
Colorado	18	21	21
Connecticut	16	18	18
Delaware	18	19*	19*
Florida	18	19*	19*
Georgia	17	21	21
Hawaii	18	20	20
Idaho	18	21	21*
Illinois	17	21	21
Indiana	18	18	21
Iowa	18	18*	18*
Kansas	18	23	23
Kentucky	18	18	18*
Louisiana	17	21	21
Maine	18	18*	18*
Maryland	18	21	21
Massachusetts	17	16	21
Michigan	17	21	21
Minnesota	18	19	19*
Mississippi	18	18	18
Missouri	17	21	21
Montana	18	21	18
Nebraska	19	19	19

STATE	A	B	C
Nevada	18	21	21
New Hampshire	17	18	17
New Jersey	18	21	*
New Mexico	18	21	21
New York	18	18	18*
North Carolina	18*	17	17*
North Dakota	18	20	21
Ohio	18	21	21
Oklahoma	18	21	21
Oregon	18	23	25
Pennsylvania	18	21	-
Rhode Island	18	21	21
South Carolina	16	18	21
South Dakota	18	21	21
Tennessee	18	19	19
Texas	18	18	21
Utah	18	21	21
Vermont	18	21	-
Virginia	18	21	21
Washington	18	21	21
West Virginia	18	21	21
Wisconsin	18	18	25
Wyoming	18	21	-
JURISDICTION			
D.C.	18	18	21
Guam	18	21	-
Virgin Islands	18	18	-

Key on next page

Key

A - Age of Majority

B - Maximum Age on Probation

C - Maximum Age on Parole/Aftercare

(-) - No parole in this state.

* AZ - Most commonly, age 18, but age can vary depending on offense.

* DE - Can be extended to age 21, but would be court jurisdiction.

* FL - Can hold until age 21 if specifically stated in court order.

* IA - Probation and Parole ends at age 18. However, if juvenile is 17 years old at disposition, the term could go to age 19.5.

* ID - Idaho does not have parole for juveniles. However, once a committed youth is released from custody of the state, he or she returns to the jurisdiction of the committing court, which may or may not order aftercare probation.

* KY - Unless otherwise noted.

* ME - Unless committed to E.J.J., in which case the age would be 21.

* NJ - NJ SPB determines discharge of parole supervision based on the juvenile's term rather than age.

* NY - Age 21 for certain offenses.

* NC - Age 16 for criminal offenses; Aftercare is a minimum of 3 months and a maximum of 12 months.

Appendix C

Supervision Request Flowchart

Step 1. Local Sending Court or Case Manager → ↓	<ol style="list-style-type: none"> 1. Completes ICJ Forms IA/VI, IV and V, (ICJ form V should be completed on probation cases). 2. Compiles necessary accompanying documents. This includes order of adjudication, order of disposition, conditions of probation/parole, legal and social history, school records and all other pertinent information. 3. Submits ICJ packet to Sending State ICJ Office in triplicate.
Step 2. Sending State Compact Administrator → ↓	<ol style="list-style-type: none"> 1. Reviews ICJ forms for completion. 2. Reviews materials for necessary documents. If documentation is omitted, obtain from sending court or worker. 3. Sets up a file and record the youth information in computer database. 4. Forward packet to Receiving State ICJ Office in duplicate.
Step 3. Receiving State Compact Administrator → ↓	<ol style="list-style-type: none"> 1. Reviews ICJ packet for completeness. 2. Submits request to local receiving court or worker for assessment/supervision.
Step 4. Local Receiving Court or Worker → ↓	<ol style="list-style-type: none"> 1. Reviews materials. 2. Visits family. 3. Completes assessment. 4. Recommends acceptance or denial of supervision. 5. Submits written report and decision to Receiving State ICJ Office in triplicate.
Step 5. Receiving State Compact Administrator → ↓	<ol style="list-style-type: none"> 1. Receives written assessment and recommendation. 2. Accepts or rejects supervision. 3. Sends report and notifies Sending State ICJ Office of acceptance or denial in duplicate.
Step 6. Sending State Compact Administrator → ↓	<ol style="list-style-type: none"> 1. Reviews report of acceptance or denial. 2. Notifies sending court or worker of the decision.
Step 7. Local Sending Court or Case Manager → ↓	<ol style="list-style-type: none"> 1. Receives home evaluation and acceptance/ denial of supervision report. 2. Notifies youth/family of results of the report. If appropriate, prepares arrival packet in triplicate. The arrival packet should be sent at least two weeks in advance of youth's travel. 3. Notifies, through interstate channels, placement plans, transportation arrangements, and case status.
Step 8. Sending State Compact Administrator → ↓	<ol style="list-style-type: none"> 1. Receives travel arrangements from local court or case manager. 2. Notifies Receiving State ICJ Office of travel plans. 3. The packet consists of: ICJ Form V, school releases or GED, progress summary parole objectives and recent photograph.

Appendix D



STATE OF TENNESSEE
DEPARTMENT OF CHILDREN'S SERVICES
900 2nd Avenue, North
Nashville, TN 37243

September 5, 2005

Mr. Designated Staff
Deputy Compact Administrator ICJ
8th Floor, Cordell Hull Building
436 6th Avenue, North
Nashville, TN 37243-1290

RE: Joe Youth
Age: 16 DOB: 6/6/85
SS#: 123-45-6789

Mr. Staff:

On July 20, 2005, the Davidson County Juvenile Court placed Joe on state probation (transferred from county probation) due to his move from the State of Tennessee to the State of Mississippi.

On April 26, 2005, the above-mentioned court placed Joe on supervised probation after finding him guilty of two counts of aggravated burglary. As further disposition he was ordered to undergo an alcohol and drug assessment and follow recommendations, participate in counseling as deemed appropriate by his probation officer and perform 15 sessions (60 hours) of public service work. He was also enjoined from Roderick Sims.

Frank currently resides with his father, Joe Youth, Sr., at 123 Main Street, Vicksburg, MS 39180. Their telephone number is 123-456-7890. Please request from state of Mississippi officials that they conduct a home evaluation and determine the feasibility of their providing cooperative supervision for the State of Tennessee.

Enclosed for forwarding to State of Mississippi are the following documents:

- ISC forms IA/VI, IV and V.
- Petitions
- Order of adjudication and disposition
- Social history
- Rules of probation
- Other pertinent documents

Please further request from state of Mississippi officials that they obtain the appropriate signatures on ICJ form IA/VI and return the original for the judge's signature.

Respectfully,

James C. Manager

Appendix E

ICJ Forms description and their usage

Form A: Petition for Requisition to Return a Runaway Juvenile

Form A - Petition for Requisition to Return a Runaway Juvenile is an optional form. It may be used for guidance as to substance, and a regular court petition may be substituted. The petition shall state the youth's name, date of birth, the status of the youth's custody, the circumstances of his/her running away, the location of the youth, if known at the time application is made, and such other facts as may tend to show that the youth who has run away is endangering his/her own welfare or the welfare of others.

The petition shall be verified by affidavit, shall be executed in duplicate and shall be accompanied by two certified copies of the document (s) on which the petitioner's entitlement to the youth's custody is based, such as birth certificate, letters of guardianship or custody decrees.

Distribution: Three original collated sets of documents to the Tennessee ICJ Office.

Form I: Requisition for Runaway Juvenile

If the judge of the court agrees with the aforementioned petition, Form I - Requisition for Runaway Juvenile is completed and executed. The requisition shall be signed by the judge, the petitioner shall sign the affidavit in the presence of a notary public, with the notary affixing the seal/stamp required by the home state's law. In some cases, the judge of the court in the home state may issue the requisition on its own motion.

The petitioner in this case may be the judge who signs the requisition. The requisition must be completed, in triplicate, with original signatures along with three original certified true supporting documents.

Distribution: Three original collated sets of documents to the Tennessee ICJ Office.

Form II: Requisition for Escapee or Absconder/Juvenile Charged with Being Delinquent

Article V is used for delinquents who have escaped from institutional custody or absconded from probation supervision. Form II - Requisition for Escapee or Absconder/Juvenile Charged with Being Delinquent is used. For the purposes of Article V, box number one is checked, Requisition for Escapee or Absconder.

The authority of the demanding state from whom the youth has escaped or absconded may issue the requisition without a petition. The requisition must be completed in triplicate, with original signatures, in the presence of a notary public with the notary affixing the seal/stamp required in the demanding state. Three original certified true copies of adjudication and/or disposition orders and pick up/arrest orders must accompany the requisition.

Distribution: Three original collated sets of documents to the Tennessee ICJ Office.

Juvenile Rights

The juvenile rights relate exclusively to the Interstate Compact on Juveniles, Article VI, and Voluntary Return Procedure. These rights should not be considered a substitute for any other notice of rights required by law. The form used herein to notify the juvenile of his/her rights is optional. Under the law, the juvenile must be advised of his/her rights by the juvenile court judge. This form must be signed and dated by the juvenile court judge.

Distribution: Fax one copy to the Tennessee ICJ Office.

Form III: Consent for Voluntary Return by Runaway, Escapee or Absconder

After being advised of his/her rights, the juvenile is requested to sign Form III. The form is also signed by the judge and legal counsel/guardian ad litem, if appointed.

Distribution: The original signed Form III is filed with the court. One copy of Form III is given to the juvenile (if traveling unaccompanied) and one copy is faxed to the Tennessee ICJ office.

Form IV: Parole or Probation Investigation Request

Form IV should be executed by the sending juvenile worker as the summary transmittal sheet for all supervision transfer requests. When properly filled out, the form contains all relevant and pertinent information regarding the juvenile. The referring juvenile worker must fill in his/her name in the bottom left corner, and the ICJ Deputy Administrator signs to the right.

Distribution: One copy each in the three packets of the referral submitted to the Tennessee ICJ Office.

Form IA/VI: Application for Compact Services/Memorandum of Understanding and Waiver

Forms IA and VI have been consolidated into one form to reduce the amount of signatures required in an ICJ application. The first section of Form IA/VI is the application to the sending court or agency whereby the juvenile is requesting Compact services. The juvenile acknowledges and accepts any differences in

supervision between the sending and receiving states in order to gain the benefits of compact services.

The second section is the Memorandum of Understanding and Waiver. This section constitutes the legal document whereby juveniles waive their respective right for a hearing when involuntarily returned to the sending state in order to partake in compact services and compact benefits.

This form is signed by the youth, custodial parent/legal guardian (in the receiving state), and judge (in probation cases) or compact official (in parole/aftercare cases).

Distribution: One copy each in the three packets of the referral submitted to the Tennessee ICJ Office.

Form V: Report of Sending State Upon Parolee or Probationer Being Sent to the Receiving State

Form V is to be executed when the parolee or probationer has been accepted by the receiving state and has departed for the receiving state. The form clearly notes reporting instructions and departure dates. It also provides a summary checklist of materials attached, which were not previously sent to the receiving state.

Distribution: One copy each in the three packets of the referral submitted to the Texas ICJ Office.

Travel Permit

The travel permit, dependent upon whether the form is utilized by the sending state as a Provisional or Temporary travel form, is executed when a parolee or probationer is traveling to establish residence in a member state prior to formal acceptance or just visiting a member state.

Distribution: For placement purposes, one copy each in the three (3) packets of the referral submitted to the Tennessee ICJ Office. For visitation purposes, three (3) copies to the Tennessee ICJ Office.

Home Evaluation Report

This is an optional form. This report may be executed by the receiving juvenile worker as the official reply to a transfer of supervision investigation. The form provides space for reporting instructions when the receiving state has accepted a case.

Distribution: Three (3) copies to the Tennessee ICJ Office.

Quarterly Progress Report

This form is a summary/transmittal reporting the adjustment of an ICJ client. The form is prepared by the receiving state on a quarterly basis and is routed to the sending state for review.

Distribution: Three (3) copies to the Tennessee ICJ Office.

Note: All ICJ forms may be downloaded from DCS' Intranet site or from the Association of Juvenile Compact Administrator's web site at www.ajca.us or <http://www.ajca.us/documents.php>

Interstate Compact on Juveniles Practices and Procedures Manual 2006 written by Johnny Stewart, State of Tennessee, Department of Children's Services.